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MTC 6875.1 (39-21(52751)B)
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Daniel R. Wright et al.
Serial No. 10/829,572
Filed April 22, 2004
Confirmation No. 6729

Art Unit 1616

For HERBICIDAL COMPOSITIONS CONTAINING GLYPHOSATE AND A
PYRIDINE ANALOG

July 22, 2004

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SIR:

INFORMATION DISCLOSURE STATEMENT

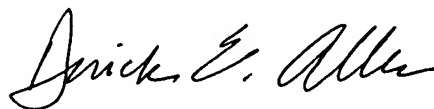
* In accordance with 37 C.F.R. 1.97 and 1.98 and MPEP 609, and in compliance
* with the duty of disclosure set forth in 37 C.F.R. 1.56, applicants submit the attached
PTO/SB/08A for consideration by the Patent and Trademark Office in the above-
entitled application and to be made of record therein. In accordance with the OG notice
of August 5, 2003 partially waiving the requirements of 37 C.F.R. 1.98(a)(2)(i), copies of
* the U.S. patent documents are not supplied. Applicants submit herewith copies of the
foreign patent documents/literature references.

This Information Disclosure Statement is being submitted pursuant to 37 C.F.R.
§1.97(b) in that applicants believe that it is being filed prior to the mailing date of the
first Office action on the merits. Accordingly, neither a statement nor fee under 37
C.F.R. §1.97(c) or (d) is required. However, if an Office action was issued prior to the
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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Derick E. Allen". The signature is fluid and cursive, with the first name "Derick" being more prominent than the last name "Allen".

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One Metropolitan Square, 16th Floor
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DEA/skd
*Enclosures

PTO/SB/08A INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/829,572
				Filing Date	April 22, 2004
				Confirmation Number	6729
				First Named Inventor	Daniel R. Wright
				Group Art Unit	1616
				Examiner Name	
Sheet	1	of	4	Attorney Docket No.	MTC 6875.1 (39-21 (52751)B)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	1	3,799,758		Franz	03-26-1974
	2	4,405,531		Franz	09-20-1983
	3	4,692,184		Lee	09-08-1987
	4	5,436,223		Mulqueen et al.	07-25-1995
	5	5,565,409		Sato et al.	10-15-1996
	6	5,703,015		Berger et al.	12-30-1997
	7	5,834,006		Smith et al.	11-10-1998
	8	5,883,048		Morré et al.	03-16-1999
	9	5,998,332		Sato et al.	12-07-1999
	10	6,063,733		Berger et al.	05-16-2000
	11	6,228,807	B1	Kuchikata et al.	05-08-2001
	12	6,245,713	B1	Brinker et al.	06-12-2001
	13	6,277,788	B1	Wright	08-21-2001
	14	6,455,473	B2	Wright	09-24-2002
	15	6,569,809	B1	Sato et al.	05-27-2003

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	16	6,579,831	B1	Harwell	06-17-2003
	17	6,713,433	B2	Jimoh	03-30-2004
	18	6,723,681	B2	Hacker et al.	04-20-2004
	19	2002/0123430	A1	Xu et al.	09-05-2002
	20	2004/0077499	A1	Graham et al.	04-22-2004

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office	Number ⁴	Kind Code ² (if known)			
	21	GB	2 267 825	A	Dow Elanco	12-22-1993	
	22	WO	99/00013		Monsanto Company	01-07-1999	
	23	WO	00/64257	A1	Monsanto Company	11-02-2000	
	24	WO	00/67571		Victorian Chemicals International Pty Ltd	11-16-2000	
	25	WO	01/35740	A2	Bayer Aktiengesellschaft	05-25-2001	
	26	WO	02/21924	A2	Monsanto Technology LLC	03-21-2002	

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OTHER ART - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶	
	27	Abdelghani, A.A., Assessment of the Exposure of Workers Applying Herbicide Mixtures (2, 4-D+Roundup, Garlon-3A+Roundup), Toxicity and Fate of these Mixtures in the Environment - Summary Report (1995)		
	28	Abdelghani, A.A., et al.; Toxicity Evaluation of Single and Chemical Mixtures of Roundup, Garlon-3A, 2, 4-D, and Syndes Surfactant to Channel Catfish, Bluegill, Sunfish, and Crawfish (1996) pp. 237-243		
	29	Arsenovic, M. et al.; Brighton Crop Prot. Conf. - Weeds (1991) 3, p. 1159		
	30	Chee, Y.K. and Faiz, Ahmad; Sheep Grazing Reduces Chemical Weed Control in Rubber, pp. 120-123		
	31	Daggett, R. Howard, and Wagner, Robert G.; Long-Term Effects of Herbicide and Pre-Commercial Thinning on Young Spruce-Fir Stands: The Austin Pond Study; Silviculture Research; Cooperative Forestry Research Unit Annual Report (2001-2002), p. 29, University of Maine		
	32	Harahap, Widjaya; The Study of Glyphosate and Its Mixture in Controlling General Weeds in Rubber Planting Strips; Symposium in Weed Science, BIOTROP Spec. Publ. No. 24 (1986), pp. 349-357		
	33	Holt, H.A., et al.; Controlling Woody Plants with Wiping Application; 39th Annual Southern Weed Sci. Soc. Proceedings; Nashville, TN (1986) p. 364		
	34	Howell, R.K. and Yeiser, J.L.; Low Volume Foliar Applications of Triclopyr, Picloram, Imazapyr and Glyphosate Mixtures For Rights-of-Way Cleanup; Proceedings Southern Weed Science Society, Birmingham, AL (1998) pp. 195-197		
	35	Jackson, Nelroy E., Control of Brush and Chaparral Species with Glyphosate, 38th Annual California Weed Conference, Fresno, CA (1986) pp. 221-223		
	36	Kay, S.H. and Hoyle, S.T.; Effects of Tank Mixing Triclopyr Amine and Glyphosate on Control of Alligatorweed; Proc. Southern Weed Science Society, Little Rock, AR (1992) p. 291		

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Sheet	4	of	4	Attorney Docket No.	MTC 6875.1 (39-21 (52751)B)

	37	Label and Material Safety Data Sheet for Eclipse™ Glyphosate Tolerant Canola Herbicide Tank-Mix (2002) Dow AgroSciences	
	38	Lawlor, Frances M., and Raynal, Dudley J.; Response of Swallow-Wort to Herbicides; (2001), Weed Science: Vol. 50, No. 2, pp. 179-185	
	39	Lawrie, J. and Clay, V.; Effects of Herbicide Mixtures and Additives on Rhododendron Ponticum; Weed Research (1993) Vol. 33, pp. 25-34	
	40	McCormack, M. L., Jr., and Saviello, T.B.; Glyphosate and Triclopyr Mixtures to Control Forest Brush; Northeastern Weed Science Society (1981) Vol. 35, p. 218	
	41	McCormack, M. L., Jr., et al.; Timing Triclopyr and Glyphosate Treatments on Forest Brush, Northeastern Weed Sci. Soc. (1982) New York, NY, Vol. 36, pp. 209-214	
	42	Obenshain, Karen R., et al., Spatial Analysis of Herbicide Decay Rates in Louisiana; Environmental Monitoring and Assessment (1997) Vol. 48, pp. 307-316	
	43	Shenaut, D. and Gaffney, G.; Proc. North Central Weed Sci. Soc. (1992) 47, p. 98	
	44	Sparacino, A.C. et al.; 45th International Symposium on Crop Protection, Gent, May 4, 1993, Part III; MFLRA3 58(3a) 785-1164	
	45	Supplemental Labeling for Roundup PRO Herbicide by Monsanto, (1996) EPA Reg. No. 524-475	
	46	Wait, Jim and Johnson, William G.; Weed Control in Glyphosate Resistant Corn; Dept. of Agronomy, University of Missouri-Columbia	
	47	Wright, Galen M. and Holt, Harvey A.; Understory Vegetation Control to Establish Oak Regeneration; North Central Weed Control Conference Proceedings, Columbus, OH, Vol. 38, 1983, p. 139	
	48	Yeiser, J.L.; June, July and August Applications of Glyphosate Tank Mixes for Site Preparation; Proceedings Southern Weed Sci. Soc. (1991) San Antonio, TX, pp. 250-255	

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